

**REGULAR MEETING
JANUARY 20, 2000**

The Ashland Board of Commissioners met in Regular Session in the Commission Chambers, City Building, Ashland, Kentucky, on Thursday, January 20, 2000, at the hour of 7:00 PM. Those present were Commissioners: Nancy Dickinson, Paul Reeves, Kevin Gunderson, who presided, and Michael Stewart. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Deborah Musser, City Clerk; Mark Osborne, Fire Chief; Tom Kelley, Chief of Police; Tony Grubb, Finance Director; Marion Russell, Acting Director of Public Services; Tim Moore, Acting Assistant Director of Public Services; Douglas E. Burns, Director of Planning & Community Development; Amanda Sinnette, Economic Development Director; Mike Rogers, Mass Transit Superintendent, and Reporters.

The invocation was given by Commissioner Gunderson.

The Pledge of Allegiance was conducted. It was lead by Boy Scout Troop 112 who was working on the Citizenship Badge.

AGENDA

City Manager Fisher presented the agenda of January 20, 2000. Motion was made by Stewart, seconded by Reeves, to receive and file the agenda. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 2, 2000

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY,
AUTHORIZING AND DIRECTING A. R. DUNNIGAN,
MAYOR, TO EXECUTE A CONTRACT WITH CHEMICAL
RESOURCES, INC. FOR A ONE-YEAR SUPPLY OF
POTASSIUM PERMANGANATE, ¼" PEBBLE LIME,
POWDERED ACTIVATED CARBON AND
HYDROFLUOSILIC ACID AT THE UNIT PRICES SPECIFIED
IN THEIR BID FOR THE DEPARTMENT OF PUBLIC
SERVICES, DIVISIONS OF WASTEWATER TREATMENT
AND WATER PRODUCTION.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Chemical Resources, Inc., 4569 Knopp Avenue, Louisville, Kentucky, to provide a one-year supply of potassium permanganate, ¼" pebble lime, powdered activated carbon and hydrofluosilic acid in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

REGULAR MEETING JANUARY 20, 2000
ORDINANCE NO. 2, 2000 CONTINUED

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 6, 2000
READOPTED BY THE BOARD OF COMMISSIONERS: January 20, 2000
PUBLISHED:

MOTION

Motion was made by Reeves, seconded by Stewart, to adopt Ordinance No. 2, 2000, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 3, 2000

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY,
AUTHORIZING AND DIRECTING A. R. DUNNIGAN,
MAYOR, TO EXECUTE A CONTRACT WITH DELTA
CHEMICAL CORPORATION FOR A ONE-YEAR SUPPLY OF
ALUMINUM SULFATE AT THE UNIT PRICES SPECIFIED IN
THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES,
DIVISIONS OF WASTEWATER TREATMENT AND WATER
PRODUCTION.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Delta Chemical Corporation, 2601 Cannery Avenue, Baltimore, Maryland, to provide a one-year supply of aluminum sulfate in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 6, 2000

REGULAR MEETING JANUARY 20, 2000
ORDINANCE NO. 3, 2000 CONTINUED

MOTION

Motion was made by Stewart, seconded by Dickinson, to adopt Ordinance No. 3, 2000, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 4, 2000

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY,
AUTHORIZING AND DIRECTING A. R. DUNNIGAN,
MAYOR, TO EXECUTE A CONTRACT WITH HVC, INC. FOR
A ONE-YEAR SUPPLY OF LIQUID CHLORINE AT THE UNIT
PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT
OF PUBLIC SERVICES, DIVISIONS OF WASTEWATER
TREATMENT AND WATER PRODUCTION.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and HVC, Inc., 4600 Dues Drive, Cincinnati, Ohio, to provide a one-year supply of liquid chlorine in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 6, 2000
READOPTED BY THE BOARD OF COMMISSIONERS: January 20, 2000
PUBLISHED:

MOTION

Motion was made by Dickinson, seconded by Stewart, to adopt Ordinance No. 4, 2000, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

REGULAR MEETING JANUARY 20, 2000
ORDINANCE NO. 5, 2000

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 5, 2000

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY,
AUTHORIZING AND DIRECTING A. R. DUNNIGAN,
MAYOR, TO EXECUTE A CONTRACT WITH P B & S
CHEMICAL COMPANY, INC. FOR A ONE-YEAR SUPPLY OF
SULFUR DIOXIDE AND LIQUID CAUSTIC SODA AT THE
UNIT PRICES SPECIFIED IN THEIR BID FOR THE
DEPARTMENT OF PUBLIC SERVICES, DIVISION OF
WATER PRODUCTION.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor, be and he is hereby
authorized and directed to execute a contract between the City of Ashland, Kentucky and
P B & S Chemical Company, Inc., 319 First Street North, St. Albans, West Virginia, to
provide a one-year supply of sulfur dioxide and liquid caustic soda in accordance with the
bid of the company in an amount not to exceed those set forth in the attached contract. A
copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith,
to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and
after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be
in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	January 6, 2000
READOPTED BY THE BOARD OF COMMISSIONERS:	January 20, 2000
PUBLISHED:	

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. 5, 2000, at
this its second reading. Upon roll call, voting aye were Commissioners Dickinson,
Reeves, Gunderson and Stewart. Nay - none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 6, 2000

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY,
AUTHORIZING AND DIRECTING A R DUNNIGAN

REGULAR MEETING JANUARY 20, 2000
ORDINANCE NO. 6, 2000 CONTINUED

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Polydyne, Inc., 1770 Indian Trail Road, Suite 200, Norcross, Georgia, to provide a one-year supply of liquid polymer in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	January 6, 2000
READOPTED BY THE BOARD OF COMMISSIONERS:	January 20, 2000
PUBLISHED:	

MOTION

Motion was made by Stewart, seconded by Dickinson, to adopt Ordinance No. 6, 2000, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 7, 2000

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING A. R. DUNNIGAN, MAYOR, TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF ASHLAND AND THE KENTUCKY HOUSING CORPORATION FOR MATCHING GRANT FUNDS FOR A REPAIR AFFAIR PROGRAM.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, be and he is hereby authorized and directed to execute a grant agreement between the City of Ashland and the Kentucky Housing Corporation for matching grant funds for a Repair Affair program. A true copy of said grant agreement is attached hereto and made a part

REGULAR MEETING JANUARY 20, 2000
ORDINANCE NO. 7, 2000 CONTINUED

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 6, 2000
READOPTED BY THE BOARD OF COMMISSIONERS: January 20, 2000
PUBLISHED:

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. 7, 2000, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

CONSENT AGENDA

RESOLUTION NO. 2, 2000

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING, AUTHORIZING AND APPROVING THE COURSE OF ACTION RECOMMENDED BY THE CITY MANAGER ON THE ITEMS APPEARING ON THE CONSENT AGENDA FOR THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF **JANUARY 20, 2000**.

* * * * *

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action recommended by the City Manager on each item appearing on the "Consent Agenda" for the meeting of **January 20, 2000**. Attached hereto and incorporated herein, as if set out in full, is a copy of the "Consent Agenda" hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

REGULAR MEETING JANUARY 20, 2000
RESOLUTION NO. 2, 2000 CONTINUED

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Resolution No. 2, 2000. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

NEW BUSINESS
FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2000

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING A. R. DUNNIGAN, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND KING'S DAUGHTERS' MEDICAL CENTER REGARDING AN ENCROACHMENT FOR THE INSTALLATION OF SIDEWALKS, LANDSCAPING AND PARKING IN THE ALLEY BETWEEN LEXINGTON AND MONTGOMERY AVENUES IN THE 2400 BLOCK ON THE CITY'S RIGHT-OF-WAY.

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. _____, 2000, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2000

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING PART VII: EXPENSE REIMBURSEMENT OF THE "PERSONNEL POLICIES AND PROCEDURES" AS ADOPTED BY ORDINANCE NO. 25, SERIES OF 1991, AS PREVIOUSLY AMENDED.

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. _____, 2000, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2000

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE AUTHORIZED POSITIONS FOR THE DEPARTMENT OF PUBLIC

REGULAR MEETING JANUARY 20, 2000
ORDINANCE NO. , 2000 CONTINUED

MOTION

Motion was made by Stewart, seconded by Dickinson, to adopt Ordinance No. _____, 2000, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

RESOLUTION NO. 3, 2000

A RESOLUTION OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF ASHLAND, KENTUCKY, INSTRUCTING ADELPHIA TO ALLOT A BASIC CABLE CHANNEL FOR LOCAL EDUCATIONAL ACCESS PURSUANT TO FCC REGULATIONS AND THE TELECOMMUNICATIONS ACT OF 1996.

* * * * *

WHEREAS, the Board of City Commissioners of the City of Ashland, Kentucky ("the City") believes that the citizens are underserved by the local commercial broadcast industry, and

WHEREAS, the City believes that programming of a local nature improves the informational, educational and entertainment aspects of our citizens, and

WHEREAS, local educational institutions have expressed an interest in programming such a channel and possess the necessary resources to provide the area with a selection of informational, educational and entertainment programming of general interest to our citizens, and

WHEREAS, other communities in the area are provided an outlet for this type of programming, and

WHEREAS, the Telecommunications Act of 1996 gives the authority to local municipalities to compel the local cable operator to provide an educational access channel for the best interest of it's citizens, and

WHEREAS, the City wishes to ensure its citizens receive quality local programming to assist them in living, working, governing and communicating in a responsible manner;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of City Commissioners of the City of Ashland, Kentucky, hereby orders the local cable operator, Adelphia, the company that provides cable service to our citizens, to, within 45 days, establish an available educational access channel on the basic level of service. This channel is to be made available to every citizen who subscribes to cable and the cable operator shall make every reasonable effort to connect it's distribution system to any local educational institution that has an origination studio and the capability of providing programming identified and appropriate for an educational access channel.

SECTION 2. This Resolution shall be in full force and effect from and after its adoption, as required by law.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

REGULAR MEETING JANUARY 20, 2000
RESOLUTION NO. 3, 2000 CONTINUED

DISCUSSION

David Surgalski, 3865 Birnamwood Drive, Associate Director of Electronic Media at Ohio University, informed the Commission that according to the Federal Telecommunications Act of 1996, Adelphia is obligated to provide the channel if the Commission establishes a community need. Mr. Surgalski described the state of the art telecommunications system at Ohio University which is capable of providing the technical service.

MOTION

Motion was made by Stewart, seconded by Dickinson, to adopt Resolution No. 3, 2000. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson and Stewart. Nay - none. Motion passed.

APPOINTMENT

Motion was made by Reeves, seconded by Dickinson, approving the Mayor's appointment of Michael R. Stewart to the Regional Public Safety Communication Center's Finance Board for a one-year term beginning January 1, 2000 and expiring January 1, 2001. Upon roll call, voting aye were Commissioners Dickinson, Reeves and Gunderson. Nay – none. Abstain – Commissioner Stewart. Motion passed.

ADJOURNMENT

Mayor Pro-Tem Gunderson declared the meeting adjourned at 7:30 PM.

KEVIN GUNDERSON
MAYOR PRO-TEM

ATTEST:

DEBORAH MUSSER
CITY CLERK